

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 09-44794

SHARI YVETTE DAVIS,

Chapter 13

Debtor.

Judge Thomas J. Tucker

_____ /

ORDER DISMISSING CASE

On November 22, 2004, Debtor Shari Davis filed a joint voluntary petition for relief under Chapter 13 with her husband Rudolph Rushin, Jr., initiating Case No. 04-73148. On February 21, 2009, the Court entered an “Order to Sever Joint Chapter 13 Case” (Docket # 94 in Case No. 04-73148), which provided in relevant part,

IT IS ORDERED that the joint Chapter 13 Bankruptcy filing of Debtor’s [sic] Shari Yvette Davis and Rudolph Rushin, Jr. is severed and a new case number will be assigned to the case of Shari Yvette Davis. (The case of Rudolph Rushing, Jr. will retain the case number 04-73148).

IT IS FURTHER ORDERED that Debtor Shari Yvette Davis must file a notice of conversion from Chapter 13 to Chapter 7 no later than February 27, 2009, or her severed case may be dismissed without further notice or hearing.

(bold italics in original).

On February 23, 2009, Debtor Shari Yvette Davis’s case was split from Case No. 04-73148 and her individual Chapter 13 case was assigned Case No. 09-44794. To date, Debtor Shari Yvette Davis has failed to file a notice of conversion from Chapter 13 to Chapter 7, as required by the Court’s February 21, 2008 Order in Case No. 04-73148. For this reason,

IT IS ORDERED that this bankruptcy case (Case No. 09-44794) is DISMISSED.

Signed on March 05, 2009

/s/ Thomas J. Tucker

**Thomas J. Tucker
United States Bankruptcy Judge**